

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PAUL J. McNALLY, as he is TRUSTEE,
MASSACHUSETTS LABORERS' HEALTH AND
WELFARE FUND and NEW ENGLAND LABORERS'
TRAINING TRUST FUND; JAMES MERLONI, JR.,
as he is TRUSTEE, MASSACHUSETTS LABORERS'
PENSION FUND and MASSACHUSETTS LEGAL
SERVICES FUND; MARTIN F. WALSH, as he is
TRUSTEE, MASSACHUSETTS LABORERS'
ANNUITY FUND,

Plaintiffs

vs.

G. CONWAY, INC.,

Defendant

and

BOWDOIN CONSTRUCTION CORP.,

Reach-and-Apply Defendant

and

FLEET,

Trustee

C.A. No. 05-10072 MEL

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT JUDGMENT
AGAINST G. CONWAY, INC.**

Now come the Plaintiffs (hereinafter, the "Funds"), and request the Clerk, pursuant to Rule 55(b)(1), Fed.R.Civ.P., to enter default judgment in favor of the Funds and against Defendant G. Conway, Inc. (hereinafter "Conway"), holding Conway liable for all unpaid contributions owed to the Funds, together with interest, statutory liquidated damages, reasonable attorneys' fees, and costs as follows:

A.	Principal owed to the Funds through September, 2005	\$88,862.27
B.	Prejudgment interest on the unpaid contributions, as mandated by 29 U.S.C. § 1132(g)(2)(B), if all contributions are paid by the end of December, 2005	\$17,773.36
C.	Interest on late-paid contributions	\$5,252.59
C.	Liquidated damages as mandated by 29 U.S.C. §1132(g)(2)(C)	\$17,772.45
D.	Attorneys' Fees as mandated by §1132(g)(2)(D)	\$9,560.00
E.	Costs	\$961.59
TOTAL		\$140,182.26

As grounds therefore, Plaintiffs state that default has been entered against Defendant for failure to answer or otherwise defend as to the Complaint of the Plaintiffs. Plaintiffs' claim is for a sum certain. Finally, Defendant is neither an infant nor an incompetent person.

WHEREFORE, Plaintiffs respectfully request that default judgment be entered against G. Conway, Inc.

Respectfully submitted,

PAUL J. MCNALLY, as he is
TRUSTEE, MASSACHUSETTS
LABORERS' HEALTH AND WELFARE
FUND, et al,

By their attorneys,

/s/ Gregory A. Geiman
Anne R. Sills, Esquire
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Gregory A. Geiman, Esquire
BBO #655207
Segal, Roitman & Coleman
11 Beacon Street
Suite #500
Boston, MA 02108

(617) 742-0208

Dated: December 23, 2005

CERTIFICATE OF SERVICE

This is to certify that a copy of the above document has been served by first class mail upon the Defendant, G. Conway, Inc. by its attorney, Steven B. Rosenthal, Esquire, 15 Broad Street, Boston, Massachusetts 02109 this 23rd day of December, 2005.

/s/ Gregory A. Geiman
Gregory A. Geiman, Esquire

GAG/gag&ts
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